IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 23RD AUGUST 2007 / 1ST BHADRA 1929

WP(C).No. 25779 of 2007(R)

PETITIONER:

U.ABDUL RAZAK, S/O.KUNHAYA, AGED 40
YEARS, ULIYATH HOUSE, CHAMRAVATTOM P.O.,
PURATHUR, TIRUR, MALAPPURAM DISTRICT-616 710.

BY ADV. SRI.K.M.FIROZ

RESPONDENTS:

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1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE TAHSILDAR,
TALUK OFFICE, TIRUR, MALAPPURAM DISTRICT.

3. THE DISTRICT COLLECTOR,
MALAPPURAM DISTRICT.

4. REVENUE DIVISIONAL OFFICER,
OFFICE OF THE REVENUE DIVISIONAL OFFICER,
TIRUR.

BY GOVERNMENT PLEADER SRI. I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.25779 OF 2005

DATED THIS THE 23rd DAY OF AUGUST, 2007

JUDGMENT

The petitioner's vehicle bearing registration No.KL-10-8683 was seized on allegations of illegal transport of river sand. The petitioner submits that although the seizure was on 18.8.2007 and the sand was accompanied by proper documents, the vehicle is not being released. He would also submit that no final orders are being passed by the 3rd respondent. The petitioner, therefore, seeks an interim custody of the vehicle.

2. I have heard the learned Government pleader also. In the facts and circumstances of the case, I dispose of this writ petition with a direction to the 3rd respondent to release the vehicle to the petitioner pending passing of final orders, on the petitioner depositing an amount of Rs.25,000/- and producing proof of ownership of the vehicle. This is subject to the further condition that the petitioner shall not alienate or otherwise part with possession of the vehicle, till final orders are passed by the 3rd respondent.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

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